

**THE TOWN OF FOREST HEIGHTS  
RESOLUTION 27-20**

**A RESOLUTION TO APPROVE AND AUTHORIZE THE PROCUREMENT,  
PURCHASE AND INSTALLATION OF A SINGLE-FACE, COLORIZED,  
ELECTRONIC MESSAGE CENTER SIGN FROM KERLEY SIGNS, INC. FOR THE  
ENTRANCE TO THE TOWN HALL PARCEL**

Introduced by: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Town Charter, § 33-63(a) requires that all purchases and contracts for the Town government shall be made by the Mayor and Council, and the Council may provide by ordinance for rules and regulations regarding the use of competitive bidding and contracts for all Town purchases and contracts; and

WHEREAS, pursuant to Section 20.4(a)(4) of the Town Ordinance Code, Procurement of an item valued at \$10,000 or more, which, in accordance with the Charter, requires competitive bidding and a written contract, shall be advertised in the Town newsletter, newspaper of general circulation or on the Town website and, to the extent the procurement is expected to exceed \$25,000 in value, on the eMaryland Marketplace, the internet-based procurement system managed by the Maryland Department of General Services; and

WHEREAS, the Town Charter, § 33-63(f) & (g) further authorizes the Town to forego the normal procurement process through cooperative purchasing in certain cases where another Maryland government entity or member of the Washington COG has already made a competitive purchase of said item, good or service and therefore the Mayor and Council may, without soliciting bids, purchase the item in question at the bid price from the successful bidder, if the Mayor and Council determines that the bid price is competitive, and furthermore, the Mayor and Council by a two-thirds vote may waive the competitive bidding requirements of said section for good cause shown for sole source procurements of unique products and services whereby written findings as to the basis of such waiver shall be placed in the journal of the Council's proceedings; and

WHEREAS, the Town staff has obtained a proposed Sales Agreement (dated March 18, 2020, attached hereto as Exhibit 1) and a sketch for the proposed new signature of the same date (attached hereto as Exhibit 2) from Sales Representative Joe Kerley of Kerley Signs, Inc. to purchase a 3' x 7' (display), single-sided, full color, electronic message center, with internally illuminated cabinet and white acrylic face and vinyl copy on 4" X 4" (3'-1" tall) steel poles at a total purchase price of \$24,676.00 including installation; and

WHEREAS, the Council further finds that as the vendor, Kerley Signs Inc., is in good standing with the State and is authorized to extend contracts to purchase LED and electronic signs at contract prices in accordance with the Maryland-National Capital Park and Planning Commission's Task Order #370251; and

WHEREAS, the Council further finds that on or about the 4th day of September 2018, a similar LED sign was purchased by the Town of Cottage City for \$23,676.00 from said vendor having the following specifications: One (1) s/f 10mm full color electronic message center sign with

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a viewing area of 3'x7' to include one (1) s/f 18" tall LED illuminated cabinet with SG grade plex face with color graphics, with two (2) steel posts and steel support frame; and

WHEREAS, the Council further finds that the proposed Sales Agreement of Kerley signs, Inc. is determined to be substantially the lowest or best bid, in terms of quality of goods and work, time of delivery or completion, and responsibility of bidder being and it is prudent and in the best interest of the Town to purchase said sign from Kerley Signs, Inc., and that said purchase may properly bypass the competitive bid or proposal requirements of the Town Charter since said Charter permits cooperative purchasing with other Maryland governments; and

WHEREAS, the Treasurer has certified in writing that the funds are available under Census grant Line Item 8048 of the FY 2020 Budget.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of Town of Forest Heights, Maryland hereby authorize, and approve the purchase by the Mayor or her designee on behalf of the Town of the above-described electronic sign at the quoted total price of \$24,676.00 as described in the Sales Agreement attached hereto as Exhibit 1 and incorporated herein by reference;

AND BE IT FURTHER RESOLVED that said sign shall be erected near the Municipal Building along Arapahoe Drive after appropriate referral or permit application for the electrically-serviced structure is reviewed, as needed, by the Prince George's County Planning Board and/or DPIE pursuant to State and County law;

AND BE IT FURTHER RESOLVED that the Mayor and Town Council of Town of Forest Heights, Maryland hereby authorizes, and approves the Mayor or her designee on behalf of the Town to execute said Sales Agreement;

AND BE IT FURTHER RESOLVED that the Public Works Supervisor or his designee shall serve as a responsible person on location and for any necessary alterations at the Municipal Building, he shall prepare the site of the signage and any required site plan, and further shall report or give notice of the proposed work in the public right of way to be performed pursuant to this Resolution and the above-referenced proposals/agreements and drawings to Miss Utility and/or WSSC, SHA, PEPCO, and any other appropriate entities prior to construction;

AND BE IT FURTHER RESOLVED that the Mayor or the Town Administrator is hereby duly authorized to execute any necessary permit, request, referral, or other legal instrument to effectuate said purchase and installation in accordance with the purpose of this Resolution;

AND BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED this 20 day of May 2020.

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ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

Absent

KENNEDY II

Yea

NOBLE

Yea

BARNES

Yea

HINES

Yea

WASHINGTON

Yea

ATKINSON

Absent

ATTEST:

THE TOWN OF FOREST HEIGHTS

**SIGNATURE ON FILE**

Sherletta Hawkins, Town Clerk

**SIGNATURE ON FILE**

Habeeb-Ullah Muhammad, Mayor

**SIGNATURE ON FILE**

Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 20 day of May 2020 with 5 Aye votes and 0 Nay vote the aforesaid Resolution 27-20 passed.

**SIGNATURE ON FILE**

Sherletta Hawkins, Town Clerk

Exhibits – Sales Agreement & Drawing dated 3/18/20